

610.

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on October 18, 1989, MICHAEL J. FONDREN, SR., and wife, EDNA L. FONDREN, executed a Deed of Trust to CHAD L. BOULANGER, Trustee for the use and benefit of MID SOUTH MORTGAGE CORP., which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book 489 at Page 364 and re-recorded in Deed of Trust Book 496 at Page 166 and re-recorded in Deed of Trust Record Book 499 at Page 649 thereof; and

WHEREAS said Deed of Trust was assigned to BANCNET MORTGAGE CORPORATION, now known as ACCUBANC MORTGAGE CORPORATION, by instrument dated October 18, 1989 and recorded in the office of the aforesaid Chancery Clerk in Book 495 at page 32 thereof; and corrected and re-recorded in the office of the aforesaid Chancery Clerk in Book 497 at Page 21 thereof; and corrected and re-recorded in the office of the aforesaid Chancery Clerk in Book 501 at Page 763 thereof; and

WHEREAS, on August 21, 1990, ACCUBANC MORTGAGE CORPORATION, in accordance with the terms of said Deed of Trust, substituted LEM ADAMS, III, TRUSTEE, in place and stead of the original Trustee named in said Deed of Trust by Substitution of Trustee which is on file and of record in the office of the aforesaid Chancery Clerk in Book 518 at Page 371 thereof, the said Lem Adams, III, being granted all the rights, powers and privileges of the said original Trustee named in said Deed of Trust; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire indebtedness secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, ACCUBANC MORTGAGE CORPORATION, the legal holder of said indebtedness, having requested the undersigned Substitute Trustee to execute the trust and sell said land and property described in said Deed of Trust in accordance with the terms of said Deed of Trust for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expenses of sale; and

WHEREAS, the undersigned Substitute Trustee in accordance with terms of said Deed of Trust and the laws of the State of Mississippi did advertise said sale in the DeSoto Times, a newspaper published in the City of Hernando, DeSoto County, State of Mississippi, on the following dates, to-wit: September 5, 12, 19 and 26, 1990, which is more fully shown by the original Proof of Publication which is attached hereto as Exhibit "A" and made a part hereof as though fully copied herein in words and figures; and by posting on the 30th day of August, 1990, a copy of the Substitute Trustee's Notice of Sale on the bulletin board of the County Courthouse of DeSoto County, Mississippi; and

WHEREAS, on the 27th day of September, 1990, at the east front door of the DeSoto County Courthouse, at Hernando, Mississippi, between the hours of 11:00 o'clock a.m. and 4:00 o'clock p.m., the undersigned Substitute Trustee did offer for sale at public outcry and did sell to the highest bidder for cash the following described land and property situated in DeSoto County, Mississippi, to-wit:

Lot 319, Section B in Eastover Subdivision in  
Section 29, Township 1 South, Range 6 West as  
recorded in DeSoto County Chancery Court  
Clerk's Office, Plat Book 12, Pages 36-38.

WHEREAS, the undersigned Substitute Trustee offered the above described property for sale at public outcry as set forth above, and there appeared at said sale an agent for ACCUBANC MORTGAGE CORPORATION, bidding the sum of Seventy-Five Thousand, Four Hundred Three Dollars and No Cents (\$75,403.00) for all of the above-described property and said property was struck off to ACCUBANC MORTGAGE CORPORATION, for said amount, and said bidder was declared the purchaser thereof.

WHEREAS, in the Appointment of Substitute Trustee hereinbefore referred to, ACCUBANC MORTGAGE CORPORATION, authorized Lem Adams, III, Substitute Trustee, to transfer and assign this bid to the Secretary of Veterans Affairs, an Officer of the United States of America, in the event ACCUBANC MORTGAGE CORPORATION was the last and highest bidder at the sale, which event has taken place; and whereas, by the execution of this instrument, the said Lem Adams, III, Substitute Trustee, does hereby transfer and assign all of the

rights, title and interest of ACCUBANC MORTGAGE CORPORATION as last and highest bidder, to the Secretary of Veterans Affairs, an Officer of the United States of America.

NOW THEREFORE, in consideration of the premises and the sum of Seventy-Five Thousand, Four Hundred Three Dollars and No Cents (\$75,403.00), cash in hand paid, the receipt of which is hereby acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to the Secretary of Veterans Affairs, an Office of the United States of America, all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 1st day of October, 1990.

  
 LEM ADAMS, III  
 SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF DESOTO

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named LEM ADAMS, III, SUBSTITUTE TRUSTEE in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and foregoing instrument of writing on the day and year and for the purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 1st day of October, 1990.

  
 NOTARY PUBLIC



My Commission Expires:

Nov. 20, 1993

P. O. Box 400, Brandon, MS 39043 (601) 825-9505

Grantee: 100 West Capitol Street, Room 210, Jackson, Ms. 39269  
 (601) 965-4840

DeSoto Times  
339 Losher St./P. O. Box 100, Hernando, Ms. 38632  
1283 Stateline Rd., Southaven, Ms. 38671  
(601) 429-6397  
(601) 393-6397

STATE MS.-DESOTO CO.  
FILED

Oct 3 9 55 AM '90

RECORDED  
DEED BOOK  
PAGE  
W.E. DAVIS CH. CLK.

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me the undersigned authority in and for said County and State, Nancy Johnson who states on oath that She is the Clerk of the DeSoto Times, a newspaper published and printed in the Town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

Volume No. 95 on the 5th day of Sept., 1990

Volume No. 95 on the 12th day of Sept., 1990

Volume No. 95 on the 19th day of Sept., 1990

Volume No. 95 on the 26th day of Sept., 1990

Volume No.        on the        day of       , 19      

Nancy Johnson, Clerk  
(Title)

Sworn to and subscribed before me, this, the        day of       , 19      

By Notary Public  
My Commission Expires June 3, 1993

publishing 1 first insertion 422 words @ .08 \$ 33.76  
3 subsequent insertions 422 words @ .05 \$ 63.30  
making proof of publication and deposing to same \$ 1.00

TOTAL PUBLISHER'S FEE \$ 98.06

STATE MS.-DESOTO CO.  
FILED

Oct 9 8 34 AM '90

RECORDED 109-90  
DEED BOOK 229  
PAGE 610  
W.E. DAVIS CH. CLK.

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on October 18, 1989, MICHAEL J. FONDREN, SR. and wife, EDNA L. FONDREN executed a Deed of Trust to CHAD L. BOULANGER, Trustee for the use and benefit of MID SOUTH MORTGAGE CORP., which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book 489 at Page 364 and re-recorded in Deed of Trust Record Book 496 at Page 166 and re-recorded in Deed of Trust Record Book 499 at Page 649 thereof; and

WHEREAS said Deed of Trust was assigned to BANCNET MORTGAGE CORPORATION, now known as ACCUBANC GAGE CORPORATION by instrument dated October 18, 1989 and recorded in the office of the aforesaid Chancery Clerk in Book Page 32 thereof; and corrected and re-recorded in the office of the aforesaid Chancery Clerk in Book 497 at Page 21 thereof; and corrected and re-recorded in the office of the aforesaid Chancery Clerk in Book 501 at Page 763 thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted Lem Adams, III, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 518 at Page 371 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, Lem Adams, III, Substitute Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the east front door of the County Courthouse of DeSoto County, Mississippi, on the 27th day of September, 1990, the following described and property being the same land and property described in said Deed of Trust, situated in DeSoto County, State of Mississippi, to-wit:

Lot 319, Section B, in Eastover Subdivision in Section 29, Township 1, South, Range 8 West as recorded in DeSoto County Chancery Court Clerk's Office, Plat Book 12, Pages 36-38

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.

WITNESS my signature, on this the 28th day of August 1990.

LEM ADAMS, III  
SUBSTITUTE TRUSTEE

ep: 5, 12, 19 and 26, 1990 422